

LRB REPORTS

MARCH 2017, VOL. 1, NO. 3

What is a Special Session?

Madeline Kasper and Michael Keane

legislative analysts



© 2017 Wisconsin Legislative Reference Bureau
One East Main Street, Suite 200 • Madison, Wisconsin 53703
www.legis.wi.gov/lrb/ • 608-266-3561

This work is licensed under the Creative Commons Attribution 4.0 International License.
To view a copy of this license, visit <http://creativecommons.org/licenses/by/4.0/> or send a letter to
Creative Commons, PO Box 1866, Mountain View, CA 94042, USA.

Introduction

As its name suggests, a “special session” of the Wisconsin Legislature differs from a regular legislative session in its purposes and procedures. A special session is called by the governor and is designed to deal exclusively with one or more matters the governor considers so important that they must be addressed promptly and separately from other legislative business.

Since Wisconsin became a state in 1848, the legislature has met in special session 94 times. Special sessions have occurred with increasing frequency, with more than two-thirds called since 1970. The most recent is the January 2017 Special Session, called by Governor Scott Walker to consider legislation relating to combating opioid abuse. Table 1 lists all special sessions, along with their duration and the number of proposals introduced and enacted in each.

When it is in regular session, the legislature may act upon a wide range of policy issues, but in special session the legislature may consider only the subjects specifically enumerated by the governor in the special session proclamation. All bills that are introduced, along with any amendments to them, must be within the limits of the call. In addition, legislative procedures in a special session are modified to speed up the legislative process, in recognition of the fact that special session issues often require prompt attention.

In understanding the organization and procedures currently used in special sessions of the Wisconsin Legislature, a useful starting point is the 1963 ruling by Speaker Robert D. Haase that discussed the manner in which each special session is distinct from any other regular or special session held by the same legislature:

A special session of the Wisconsin Legislature is a “new session” in the sense that, when it convenes, it has nothing before it on which it can act. Each proposal, in order to be acted on by the legislature meeting in special session, must be placed before the legislature in the proper form of a bill, joint resolution or resolution, introduced in that special session . . . [E]ach proposal should be identified by the words “SPECIAL SESSION.”

A special session of the Wisconsin Legislature is a “new session” in the sense that it is not bound by the action of the legislature in the preceding regular session, but that any action taken by the legislature meeting in special session must be taken from the beginning and, if a law is to be enacted, go through the complete lawmaking cycle.

. . . On the other hand, a special session of the Wisconsin Legislature is not a “new session” in the sense that it would require a new oath of office of its members or officers. The oath of office given by the members holds for the term for which they have been elected and [certain officers of the senate and assembly] hold their respective offices for the full 2-year term.

. . . The chair is of the opinion that a special session is a “new session” in the sense that it is entirely separate in all its particulars from the regular session of the same legislature and that, upon the completion of its separate business, the special session adjourns sine die without any effect on the regular session (Assembly Journal, 1963).¹

Constitutional provisions and opinions of the attorney general

Special sessions are based on two constitutional provisions. Article V, Section 4, of the Wisconsin Constitution authorizes the governor to convene the legislature on extraordinary occasions.² Article IV, Section 11, the “limiting clause,” relates to the legislature and provides that:

The legislature shall meet at the seat of government at such time as shall be provided by law, unless convened by the governor in special session, and when so convened no business shall be transacted except as shall be necessary to accomplish the special purposes for which it was convened.

The constitution clearly authorizes the governor to call a special session, but it does not prescribe how the session should be conducted. Special session procedures have evolved over time and are now governed by legislative rules and practice.

Practical experience, attorney general opinions, and supreme court rulings have helped to achieve consensus on the rules for holding a special session. (See table 2 for attorney general opinions that have shaped the rules and procedures governing special sessions.)

The governor’s call and supplements to the call

The first formal step in organizing a special session is the issuance of a proclamation by the governor setting forth the day and hour for convening the session and the purpose for which the session is to be held. In this proclamation, which in recent years has taken the form of an executive order, the governor sets the guidelines for the session. Governor Walker’s order for the January 2017 Special Session shows the current format for a call (pp. 23–24). See table 3 for all special session calls from 1848 to 2017.

Almost 100 years ago, in an opinion to Governor Emanuel L. Philipp in 1918, Attorney General Spencer Haven indicated that the governor’s options in calling a special session were quite broad:

1. Wisconsin Assembly Journal (1963), 14–16.

2. Since 1961, the legislature has provided through procedural rules for its own extraordinary sessions in Joint Rule 81 (2); Senate Rule 93; and Assembly Rule 93. During these sessions, which are called through joint action of the two houses, the legislature may consider only such subjects as are listed in the call. A total of 33 extraordinary sessions have been called in 13 legislative sessions: 1979 (1), 1981 (1), 1987 (6), 1989 (1), 1991 (1), 1993 (1), 1997 (1), 1999 (2), 2003 (7), 2005 (2), 2009 (5), 2011 (2), and 2015 (3). The most recent was the November 2015 Extraordinary Session, called to consider 13 joint resolutions and 36 bills pertaining to campaign finance reform and several other matters.

It will be noted that this provision of the constitution leaves the matter wholly within your hands. You are hampered by no machinery, and no limitations. The time of issuing the proclamation, the time when the session shall convene, the subjects to be considered thereat, the length of notice to be given to the members, the method of notifying them, all are left entirely to your discretion (7 OAG 49).

Attorney General Stewart G. Honeck's opinion in 1948 (37 OAG 374) indicated that the governor's call may be issued in person or by mail, telephone, or telegraph. He also added that failure to contact individual legislators who are out of the state or unavailable does not invalidate the special session.

The constitution does not permit the governor to dictate the particulars of legislation to be enacted, but the governor's proclamation can enumerate and set forth the purposes of the subjects to be considered. In 1987, at the symposium on the State of the States, conducted by the Eagleton Institute of Politics at Rutgers University, Speaker Thomas Loftus explained the respective special session powers of the governor and the legislature:

The governor can call and state the purpose of a special session; however, it is the legislature's power to act or not to act, to convene and then adjourn to a more convenient time, and if it acts, to arrive at any solution to the problem it wishes. The governor cannot pose the question and limit the answer. The governor can only pose the problem and suggest a solution.

A governor may also supplement the original call by issuing new proclamations and adding topics for the legislature to consider. In 1933, Governor Albert Schmedeman supplemented his call four times after the special session convened, adding 11 new topics to the 5 topics in the original proclamation. After the 1937 legislature convened on September 11 under Governor Philip La Follette's nine-item call, he issued two supplementary calls on October 11, each of which added nine items for consideration. More recently, on January 3, 2011, Governor Walker called the legislature into special session to consider legislation relating to taxes, rule-making authority and procedures, health savings accounts, tort reform, and the creation of the Wisconsin Economic Development Corporation. He supplemented the call four times, on January 10, February 11, April 26, and June 1. In the third supplementary call he asked for consideration of legislation relating to telecommunications regulation.

Organizing the legislature for a special session

Nineteenth century legislatures met in regular session for only a few months and then adjourned sine die, that is, "without a day" set for reconvening, which means that in effect the legislative body abolishes itself. This meant the legislature had to reorganize

itself every time a special session was called, requiring considerable effort each time to elect new officers, assign seats, and establish procedural rules.

Today's special session procedures reflect changes in regular legislative scheduling that occurred in the 1960s. Since January 11, 1961, the established legislative practice has been to meet for periods throughout the biennium and to adjourn sine die only on the day the succeeding legislature is sworn in. Continuing legislative activity throughout the biennium was formally permitted by a constitutional amendment, ratified in April 1968, which allows the legislature to meet "at such time as shall be provided by law." This continuous scheduling makes it unnecessary to reorganize the legislature for special sessions.

At its first meeting in January of the odd-numbered year, the legislature organizes itself to conduct business during the biennium through adoption of a joint resolution establishing the session calendar. The legislative schedule is divided into floor periods interspersed with periods for committee work. A special session can be called at any point in the biennium, and there is a continuity of procedural rules for regular and special sessions. All rules in effect at the conclusion of the preceding regular session are carried forward, which means that when a special session is convened, each house already has a body of rules in force, although it could modify the rules to suit unusual circumstances. Senate Rule 93, which is similar to Assembly Rule 93, reads:

SENATE RULE 93. Special or extraordinary sessions. Unless otherwise provided by the senate for a specific special or extraordinary session, the rules of the senate adopted for the biennial session, with the following modifications, apply to each special session called by the governor and to each extraordinary session called by the senate and assembly organization committees or called by a joint resolution approved by both houses:

(1) Except as provided in sub. (1d), a proposal or amendment may not be considered unless it accomplishes the special purposes for which the special session was convened or the business specified in the action authorizing the extraordinary session. Notwithstanding rule 46 (6), any proposal that is adversely and finally disposed of for the biennial session may be revived by specific inclusion in the action authorizing an extraordinary session, provided that the proposal had not failed a vote of concurrence or passage in the senate. Any proposal revived under this subsection is considered to be at the same stage of the proceedings as it had attained upon being adversely and finally disposed of.

(1d) Resolutions offering commendations, congratulations, or condolences, memorializing congress or an individual, or affecting senate or legislative rules or proceedings, and nominations for appointments are declared not to be within the meaning of the term "business" under the constitutional provision limiting the matters to be considered during special sessions to those enumerated in the governor's call for a special session. All such matters may be considered during any extraordinary session. All such matters are not subject to sub. (1p).

(1p) A senate proposal may not be considered unless it is recommended to be introduced, offered, or considered by the committee on senate organization, the senate committee on finance, the joint committee on finance, the joint committee on legislative organization, or by the joint committee on employment relations.

(2) A notice of a committee meeting is not required other than posting on the legislative bulletin board.

(3) The daily calendar is in effect immediately upon posting on the legislative bulletin boards. The calendar need not be distributed.

(4) Any point of order shall be decided within one hour.

(5) A motion may not be entertained to postpone action to a day or time certain.

(6) Any motion to advance a proposal and any motion to message a proposal to the assembly may be adopted by a majority of those present and voting.

As a result of the continuous biennial legislative session schedule and the continuity in procedural rules, various organizational requirements, including committee assignments, which formerly had to be approved at the beginning of each special session, are now simply carried over from the regular session.

Special session documents and bills

Joint Rule 79 requires the chief clerks and the Legislative Reference Bureau (and requests the governor and the secretary of state) to treat the legislative documents of regular and special sessions within a single biennium as follows:

(1) **DRAFTING REQUESTS.** The legislative reference bureau shall number all drafting requests received by it in a continuing sequence throughout each biennial session. Separate sequences may be used to distinguish proposals, substitute amendments, simple amendments to proposals other than the budget bill, floor amendments to proposals, and drafts for incorporation into the budget bill or any amendments thereto.

(2) **BILL JACKETS.** When jacketing drafted proposals for consideration in a special session, the legislative reference bureau shall identify each page of the draft, and, except as otherwise provided in joint rule 54 (2m), identify the bill jacket, by the month in which a specific special session begins.

(3) **PROPOSALS.** For each special session, the chief clerks shall number the proposals in a new sequence, beginning with the number “1” for each type of proposal.

(4) **JOURNALS.** The daily journals for each special session shall be identified as journals of the legislature meeting in special session, but shall be filed in consecutive order, by date, together with the journals recording the action in regular session throughout the biennial session. When the legislature, at different times within a single day, conducts the business

of the regular session as well as business under the governor's special session call, the actions may be recorded in a single journal for that day but actions under the special session call shall be clearly identified as actions of the legislature meeting in special session.

(5) **BULLETIN OF PROCEEDINGS.** The history of legislative action on all proposals introduced or offered in special sessions shall be published in a single chapter for each special session, at the end of the senate and assembly parts of the bulletin of proceedings. In the subject and author indexes of the index to the bulletin of proceedings, special session legislation shall be indexed, together with regular session legislation, into a single subject-heading and author-heading-sequence.

(6) **WISCONSIN ACTS.** The office of the governor is requested and the chief clerks of the senate and assembly are directed to number all Wisconsin Acts enacted throughout a single biennial session, whether enacted in regular or in special session, into a single consecutive act number sequence.

During regular sessions, any member or committee of the legislature may offer proposals for introduction on any day of the biennial session. However, every proposal must be drafted in proper form by attorneys at the Legislative Reference Bureau and then presented to the chief clerk of the respective house for introduction. Procedure during a special session differs in that individual legislators may not introduce bills. According to Joint Rule 81 (2) (c):

Following the official call of any special or extraordinary session, the joint committee on employment relations or on legislative organization, the committees on organization in each house, and any committee of either house so authorized under the rules thereof, may introduce or offer proposals germane to the call, and such proposals may be numbered, referred to committee, and reproduced in advance of the special or extraordinary session under the customary procedures of each house.

For example, the Committee on Senate Organization introduced January 2014 Special Session Senate Bill 1, relating to school district budgets, whereas the Joint Committee on Finance introduced January 2014 Special Session Assembly Bill 4, relating to the federal historic rehabilitation tax credit. Assembly Rule 93 (2) and Senate Rule 93 (1p) specify which other committees may introduce legislation during a special session. The additional committees include the Joint Committee on Finance, the Joint Committee on Legislative Organization, and the Joint Committee on Employment Relations.

A special session within a regular session

The legislature now remains in continuous regular session, but the constitutional power of the governor to “convene the legislature on extraordinary occasions” has not diminished.

Following the constitutional amendment in 1968 permitting the legislature to meet in continuous session, the question was raised as to whether the governor would be able to call the legislature into special session when there was no sine die adjournment. The Wisconsin Supreme Court decided in *State ex rel. Groppi v. Leslie*, 44 Wis. 2d 300 (1969):

The petitioner argues . . . the assembly was not in a valid special session. He bases his argument on the premise that the governor has no power to call a special session of the legislature before the legislature in a general session has adjourned sine die.

. . . The constitution does not limit the power of the governor to call special sessions only when the legislature is not in session. The purpose of a special session is to accomplish a special purpose for which it has convened. To deny the governor the power to call a special session while the legislature is in general session would in effect deny the governor the right to call the legislature into session to give priority consideration to those items he claims are of immediate statewide concern. This power of the governor is a part of the checks and balances in our tripartite form of government.

Scope and substance of a special session

The most significant limitation on the powers of the legislature when it is meeting in special session is set forth in Article IV, Section 11, of the Wisconsin Constitution: “[W]hen [the legislature is] so convened no business shall be transacted except as shall be necessary to accomplish the special purposes for which it was convened.” The constitution gives the governor the power to set the scope of a special session by detailing the policies on which the legislature is to act, but the legislature retains the discretion to shape the substance, and thus the results, of a special session. On November 18, 1987, Speaker Loftus wrote to Governor Thompson the following:

[W]hile the governor may recommend for the Legislature’s consideration such matters as he may deem expedient, the means by which and the extent to which the Legislature accomplishes the special purposes for which it was convened are policy decisions for the Legislature.

Item 1 of your call . . . sets forth a general purpose concerning homestead tax credits and farmland preservation agreements, including increasing the threshold income, maximum income and maximum eligible property tax or rent equivalent, etc. On the other hand, while the Legislature will certainly consider your detailed recommendations, it cannot be bound by the specific dates, amounts or quantities set forth in item 1.

Item 2 of your call includes a recommendation that the Legislature extend medical assistance to medically needy children “under age 3”. Again, I am confident that the Legislature will consider that recommendation, but if the Legislature decides that this particular aspect of the purposes for which it was called into the special session is accomplished

better by setting the age at “age 2” or at “age 6”, then that is a proper policy decision for the Legislature under its constitutional grant of power.

The [Wisconsin Supreme Court’s] *Van Dyke* decision of 1935 strongly suggests that the Legislature’s power to determine the means by which and the extent to which the general purposes of a Governor’s special session call are to be accomplished is quite broad. . . . Calling a special session, a Governor can only limit the purpose for which the special session is called. The means by which and the extent to which the general purposes of the call are to be implemented are policy decisions for the Legislature.

Speaker Haase had emphasized this very same point when he stated in the ruling previously cited that a governor could not, as stated in the call for the December 1963 Special Session, ask a special session to consider a regular session bill. A governor can only describe the topic.

During the 1922 special session, the chair of the Assembly Committee on Taxation requested the attorney general’s opinion on the distinction between the objectives of special session legislation, as defined in the governor’s call, and the legislature’s freedom to determine the means by which these objectives might be obtained. In response, Attorney General William J. Morgan cited Colorado and Montana Supreme Court decisions in support of his contention that, although a call for a special session of the legislature may specify in minute detail the laws which the governor wishes enacted, the legislature has the constitutional authority to enact any law designed to accomplish objects of legislation suggested in the call (11 OAG 249).

The same point was made by Lieutenant Governor Thomas J. O’Malley presiding during the 1933 special session:

The general doctrine, however, is clear, namely that the legislature may deal only with the subjects included in the Governor’s call, but may deal with them in any manner that it sees fit, and not merely in the manner suggested by the Governor (1933 Special Session Senate Journal 77).

Most recently, this issue came up in litigation challenging the constitutionality of 2011 Wisconsin Acts 10 and 32 relating to collective bargaining for public employees. One of plaintiffs’ arguments at trial was that Act 10, which was enacted during a special session called by Governor Walker for the purpose of considering and acting “upon legislation relating to the Budget Repair Bill,” was outside the special session call.

The defendants—Governor Walker and three commissioners of the Wisconsin Employment Relations Commission—argued that the question of whether Act 10 was outside the special session call was nonjusticiable and was a matter to be decided exclusively by the legislature and the governor, not the courts. They reasoned that this constitutional

provision is different from other justiciable procedural limitations because the governor defines the scope of the special session and can veto legislation that exceeds the scope of the call. Therefore, when the governor does not veto special session legislation, the governor has determined that the legislation was within the scope of the special session call.

In its decision, the circuit court found that Act 10 was within the scope of the special session call. But the court held that the issue was justiciable, as past courts had found; rejected the notion that the constitutional provision can be “brushed aside by political accommodation between the governor and the legislature”; and concluded that legislation enacted in violation of Article IV, Section 11, of the constitution is void. The circuit court went on to find that parts of Act 10 were unconstitutional, a decision that was eventually reversed by the Wisconsin Supreme Court, which upheld Act 10 in its entirety.

Although the circuit court decision has no precedential value, it is important to note that at least one recent Wisconsin court rejected anew the argument that the legislature and the governor are the sole determiners of whether legislation falls under a special session call. The issue remains justiciable, and legislation enacted outside of the scope of a special session call is void.

Germaneness of proposals to governor’s call

During special sessions of the Wisconsin Legislature, specific bills or their amendments or both have been challenged as not germane to the governor’s call. On one occasion, the governor amended the call to permit further consideration of a constitutional amendment that the legislature had proposed but the Speaker had ruled nongermane to the original call. The following are sample rulings by presiding officers, attorneys general, and the supreme court that provide guidelines about germaneness.

April 1926 special session. Attorney General Herman L. Akern cautioned that a call to deal with the bovine tuberculosis appropriation did not open the door for broad programmatic amendments:

[T]he wording of the call indicates that the special purpose was not a revision of the provisions relating to the condemnation and slaughter of diseased animals and the payment of indemnities to be paid thereon and expenses connected therewith, but merely the one question of the aggregate appropriation to be available for these purposes. (15 OAG 163, 165)

March 1928 special session. Attorney General John W. Reynolds described the limits of a call to provide an emergency appropriation to the state board of control:

Bill No. 8, S., in substance, transfers unexpended appropriation balances made by previous sessions of the legislature to the state board of control, to be spent for emergency

needs . . . The call is for an appropriation of funds to the state board of control; a transfer of funds already appropriated is not an appropriation, therefore is not within the call. (17 OAG 181)

November 1931 special session. Several questions of germaneness were raised during this Depression-era session. Speaker Charles B. Perry ruled that two items offered for consideration by the legislature were not germane. One was 1931 Assembly Joint Resolution 13, that proposed to add a new section to Article VIII of the Wisconsin Constitution to permit the state to procure “control of the means of production and distribution of the necessities of life, and for the purpose of giving the worker the full product of his toil.” The chair ruled that the resolution was not contemplated in the call, and the decision was upheld by a roll call vote (Assembly Journal, 1931).³

In the second instance, item 6 of the governor’s call asked that revenues for unemployment relief be raised through new taxes on 1931 incomes, increases in gift and inheritance taxes, and enactment of a chain store tax. 1931 Special Session Assembly Bill 50 proposed to levy a tax on the pelts of fur-bearing animals raised for commercial purposes. The Speaker ruled this also was not within the executive call (Assembly Journal, 1931).⁴

Attorney General John W. Reynolds was asked his opinion about the germaneness of a bill relating to the governor’s call asking the legislature “to make provisions for the relief of unemployed citizens” (20 OAG 1241). The bill generally provided for the postponement for six months of the payment of real estate taxes. He responded that the postponement “unquestionably would be ‘relief’” of unemployed persons “as this term is generally understood and within the meaning of the governor’s call” but that the overall plan was beyond the scope of the call because it would also provide such relief to numerous employed persons as well as the unemployed.

In two cases resulting from the same special session call, the supreme court decided that the call’s scope could be more broadly interpreted. In both cases, questions were raised because several of the relief measures contained in Chapter 29, Laws of 1931, were based on per capita formulas or not targeted strictly to relief for unemployed persons.

In *State ex rel. Madison v. Industrial Commission*, 207 Wis. 652 (1935), the court reiterated several points: “The language of a statute must be construed with reference to its context and the purposes sought to be accomplished.” And, it continued: “[I]t must be presumed that the legislature of the state, being the supreme law-making body, has made careful investigation of the entire situation” (660).

3. Wisconsin Assembly Journal (1931), 145.

4. Wisconsin Assembly Journal (1931), 246.

In this same case, the court found that the legislature was justified in its broad reading of the unemployment situation it confronted when responding to the special session call:

We may take judicial notice of the fact that commencing late in 1929 and continuing down to the present time depression and unemployment have existed throughout the length and breadth of this land; that during the year 1931 the unemployment situation was particularly acute; that at the time the legislature was in session, the winter of 1931 and 1932 promised no substantial change for the better (658).

December 1933 special session. Speaker Cornelius T. Young ruled against a bill although part of it was germane:

In short, Bill 5, A., provides for a state regulatory system for the sale and manufacture of intoxicating liquor and a state fund for old age pensions.

. . . The Governor's call for this special session included five specific subjects which relate to the regulation of the manufacture, sale and transportation of alcohol beverages, a tax on such beverages and on fermented malt beverages of any alcohol content and confirmation of any appointments to office under any legislation that may be enacted. Clearly, the subject of old age pensions is not included within the call and any bill providing for such legislation cannot be considered at this special session.

Since Bill 5, A., includes two subjects, one being germane and the other not germane, the entire bill must be considered not germane, as the old age provisions are an integral part of the bill and the bill as a whole must be considered (Assembly Journal, 1933).⁵

In the senate, Lieutenant Governor O'Malley ruled that under the call to provide for a state beverage tax, a proposal to permit a partial refund of taxes collected from manufacturers using Wisconsin-produced barley, while it did not deal with the tax in the manner suggested by the governor, was germane to the subject of the call (Senate Journal, 1933).⁶

September 1969 special session. Within a lengthy list of items, the call for the special session requested the legislature to make appropriations for specific, and rather narrowly defined, school programs. The question of germaneness was raised about a general increase in school aids:

The chair ruled that the general increase in the school aid formula pertaining to each student produced funds that could be in the Governor's Call, as specifically listed therein. However, they could also be used for purposes other than that outlined in the Governor's Call. For that reason, the general increase was not germane (Assembly Journal, 1969).⁷

5. Wisconsin Assembly Journal (1933), 122–123.

6. Wisconsin Senate Journal (1933), 78.

7. Wisconsin Assembly Journal (1969), 79–80.

June 1980 special session. The legislature was considering a joint resolution related to Governor Lee Sherman Dreyfus's call to amend the constitution to permit legislation that would authorize circuit courts to deny release on bail under certain circumstances. Upon receipt of a conference committee report designed to reconcile differences in the assembly and senate versions, a point of order was raised that the conference report was not germane to the call. Speaker Edward Jackamonis ruled the bill was not germane because the report proposed direct regulation of bail and was "self-executing," thus rendering it beyond the scope of the call which asked for a constitutional amendment to authorize the legislature to enact laws on the subject.

On the next day, the governor issued a supplementary call that, in effect, permitted introduction of the wording recommended by the conference report. June 1980 Special Session Assembly Joint Resolution 9 passed both houses and received its second approval in the 1981 legislature. The voters ratified the amendment in April 1981.

May 2002 special session. Representative Stephen Freese rose to the point of order that May 2002 Special Session Assembly Substitute Amendment 1 to Assembly Bill 1 was not germane to the governor's special session call, which focused on chronic wasting disease in deer. Speaker Scott Jensen ruled the point of order not timely because there were still simple amendments pending to the substitute amendment. Therefore, even if the substitute amendment was not germane to the special session call at that time, it could still be amended prior to its adoption to make it germane (Assembly Journal, 2001)⁸.

Veto of special session bills

The governor has the same power to veto special session bills as applies to regular session bills, including partial vetoes of bills containing appropriations. Since the May 1861 special session, 12 bills have been vetoed in full in seven special sessions. Never has the governor's veto of a special session bill been overridden.

For each session since 2001, Senate Joint Resolution 1 has set the schedule for the upcoming session and has included the following text: "A special or extraordinary session shall reconvene upon a call of a majority of the members of the Joint Committee on Legislative Organization solely for the consideration of executive vetoes or partial vetoes if an enrolled bill passed by both houses during the special or extraordinary session was vetoed or partially vetoed." When the assembly and the senate adjourn a special session for the final time, they do so pursuant to Senate Joint Resolution 1.

8. Wisconsin Assembly Journal (2001), 851.

Meeting days and length of special sessions

Special sessions often meet on the same day as regular session days, although many are skeleton sessions, attended by only a few legislators and adjourned immediately to a future date. Because the senate and the assembly may meet for a different number of days, it is more informative to count the total number of calendar days contained in a special session. Since the first special session in 1861, the span of special sessions has ranged in calendar days from 1 day to 267 days for the January 2011 special session called by Governor Walker that was supplemented four times. That special session was also the longest in terms of actual meeting days (164). The length of individual special sessions are shown in table 1.

The governor has the power to convene a special session but not to adjourn it. The executive order specifies the date and time the legislature is to convene to consider the items of business contained in the call, but, outside of the biennial expiration of the legislators' terms, there is no limit on the length of a special session unless the legislature imposes one on itself, as it did in 1937. The special session's length can vary depending on the quantity and complexity of the items listed in the governor's call, the level of controversy or sense of urgency surrounding those issues, and the point in the regular session's schedule that the special session begins.

Special session trends

In its early history, it was the practice of the legislature to meet for only a few months annually at the beginning of the year (to 1882) or at the beginning of the biennium (after 1883), and then adjourn sine die for the balance of the year or biennium. The special session served as a mechanism to bring the lawmakers back to the capitol to address crises such as natural disasters, fiscal emergencies, economic calamities, civil disturbances, and any other matters that could not wait until the legislature convened its next regular session. For much of the state's history, the use of special sessions conformed to this pattern. But just as the procedural rules of a special session have evolved, there have also been gradual changes in the frequency and purposes of special sessions.

It would seem that after the adoption in 1961 of the continuous biennial session, there would be less need to call the legislature into special session, but special sessions have been called with increasing frequency in recent years. One explanation may lie in the stated purposes of the special session calls. While these sessions are sometimes convened to act expeditiously upon urgent matters, it is becoming more common for governors to call the special session for regular legislative matters, rather than emergency situations. (See table 2.) Because governors can select the time and set the agenda in a call, they have discovered that convening a special session allows them to highlight

policy problems and propose possible solutions. The special session device can give the governor a greater role in setting the legislative agenda and guiding legislation.

Other possible reasons for the expanded use of special sessions are that they can be convened more easily because organizational arrangements are simpler and that legislators are now in Madison more often than in the past when the legislature was not in continuous session. Nowadays, it is not uncommon for special sessions to meet concurrently with regular sessions, even on the same legislative day.

Since 1861, special sessions have been effective in promptly focusing legislative attention and debate on salient issues and pressing policy problems facing the state, and Wisconsin governors will likely continue to employ this useful constitutional power. ■

Table 1. Special sessions of the Wisconsin legislature, 1848–2017

Special session ¹	Dates	Calendar days ²	Meeting days ³		Measures introduced			Bills vetoed ⁴	Laws enacted
			Senate	Assembly	Bills	Joint res.	Res.		
1861 May	5/15–5/27	13	11	11	28	24	34	0	15
1862 Sept. . . .	9/10–9/26	17	15	15	43	25	37	0	17
1878 June	6/4–6/7	4	4	4	6	14	10	0	5
1892 June	6/28–7/1	4	4	4	4	7	16	0	1
1892 Oct.	10/17–10/27	11	9	9	8	6	14	0	2
1896 Feb	2/18–2/28	11	8	8	3	11	15	0	1
1905 Dec	12/4–12/19	16	12	14	24	15	26	0	17
1912 April	4/30–5/6	7	6	6	41	7	6	0	22
1916 Oct	10/10–10/11	2	2	2	2	8	4	0	2
1918 Feb	2/19–3/9	19	14	14	27	22	28	2	16
1918 Sept.	9/24–9/25	2	2	2	2	6	9	0	2
1919 Sept.	9/4–9/8	5	4	3	7	4	6	0	7
1920 May	5/25–6/4	11	7	7	46	10	22	2	32
1922 March	3/22–3/28	7	4	4	10	7	12	1	4
1926 April	4/15–4/16	2	2	2	1	8	12	0	1
1928 Jan	1/24–2/4	12	9	8	20	35	23	0	5
1928 March	3/6–3/13	8	6	6	13	9	17	0	2
1931 Nov.	11/24/31–2/5/32	74	48	42	99	93	83	2	31
1933 Dec	12/11/33–2/3/34	55	30	34	45	160	53	0	20
1937 Sept.	9/15–10/16	32	23	23	28	18	23	0	15
1946 July	7/29–7/30	2	2	2	2	6	14	0	2
1948 July	7/19–7/20	2	2	2	0	5	11	0	0
1958 June	6/11–6/13	3	3	3	3	7	13	0	3
1963 Dec	12/10–12/12	3	3	3	8	10	10	0	3
1969 Sept ⁵	9/29/69–1/17/70	111	28	18	5	5	8	0	1
1970 Dec	12/22	1	1	1	0	1	5	0	0
1972 April	4/19–4/28	10	5	6	9	4	4	0	6
1973 Dec	12/17–12/21	5	5	5	3	2	6	0	2
1974 April	4/29–6/13	46	17	20	12	1	4	0	6
1974 Nov	11/19–11/20	2	2	1	2	0	0	0	1
1975 Dec	12/9–12/11	3	3	3	13	1	2	1	6
1976 May	5/18	1	1	1	2	2	3	0	1
1976 June	6/15–6/17	3	3	3	13	4	3	0	9
1976 Sept.	9/8	1	1	1	4	1	4	0	2
1977 June	6/30	1	1	1	0	1	2	0	0
1977 Nov	11/7–11/11	5	5	5	6	4	2	0	5
1978 June	6/13–6/15	3	3	3	2	5	2	0	2
1978 Dec	12/20	1	1	1	2	4	2	0	2
1979 Sept.	9/5	1	1	1	10	3	2	0	5
1980 Jan	1/22–1/25	4	2	4	8	3	2	0	0
1980 June	6/3–7/3	31	13	12	20	14	2	0	7
1981 Nov	11/4–11/17	14	8	7	6	3	2	0	3
1982 April	4/6–4/30, 5/5–5/20	45	18	21	4	2	2	1	1
1982 May	5/26–5/28	3	3	3	13	7	2	0	9
1983 Jan	1/4–1/6	3	3	2	2	2	1	0	2
1983 April	4/12–4/14	3	3	3	1	1	0	0	1
1983 July	7/11–7/14	4	2	4	5	3	1	0	4
1983 Oct	10/18–10/28	11	8	7	12	1	0	0	11
1984 Feb	2/2–4/4	63	19	13	2	1	0	0	0
1984 May	5/22–5/24	3	3	2	12	5	1	0	11

Table 1. Special sessions of the Wisconsin legislature, 1848–2017, continued

Special session ¹	Dates	Calendar days ²	Meeting days ³		Measures introduced			Bills vetoed ⁴	Laws enacted
			Senate	Assembly	Bills	Joint res.	Res.		
1985 March . . .	3/19–3/21	3	2	2	6	1	0	0	3
1985 Sept. . . .	9/24–10/19	26	11	7	22	1	0	0	17
1985 Oct	10/31	1	1	1	1	3	0	0	1
1985 Nov	11/20	1	1	1	24	2	0	0	12
1986 Jan	1/27–5/30	124	34	27	1	4	0	0	1
1986 March . . .	3/24–3/26	3	3	3	1	1	0	0	1
1986 May	5/20–5/29	10	6	4	44	3	0	0	12
1986 July	7/15	1	1	1	3	1	0	0	2
1987 Sept. . . .	9/15–9/16	2	2	2	2	1	0	0	2
1987 Nov	11/18/87–6/7/88	203	44	42	19	3	0	3	5
1988 June	6/30	1	1	1	4	1	3	0	2
1989 Oct	10/10/89–3/22/90	164	52	49	52	6	0	0	7
1990 May	5/15/90	1	1	1	7	1	0	0	0
1991 Jan	1/29–7/4	157	49	52	16	1	0	0	2
1991 Oct	10/15/91–5/21/92	220	50	47	9	2	0	0	1
1992 April	4/14–6/4	52	20	17	7	1	2	0	2
1992 June	6/1	1	1	1	0	2	0	0	0
1992 Aug	8/25–9/15	22	7	7	1	1	0	0	1
1994 May	5/18–5/19	2	2	2	6	1	0	0	3
1994 June	6/7–6/23	17	8	8	3	4	0	0	3
1995 Jan	1/4	1	1	1	1	1	0	0	1
1995 Sept. . . .	9/5–10/10	36	12	13	1	1	0	0	1
1998 April	4/21–5/21	31	13	12	13	2	2	0	5
1999 Oct	10/27–11/11	16	7	8	3	1	0	0	1
2000 May	5/4–5/9	8	3	3	2	2	1	0	1
2001 May	5/1–5/3	3	1	2	1	0	0	0	1
2002 Jan	1/22–7/8	168	59	52	1	2	7	0	1
2002 May	5/13–5/15	3	3	2	2	0	0	0	1
2003 Jan	1/30–2/20	22	7	7	1	0	0	0	1
2005 Jan	1/12–1/20	9	4	1	2	0	0	0	1
2006 Feb	2/14–3/7	22	7	6	2	0	0	0	1
2007 Jan	1/11–2/1	22	7	6	2	1	0	0	1
2007 Oct	10/15–10/23	9	5	3	2	0	0	0	0
2007 Dec	12/11/07, 1/15–5/14/08	156	38	39	1	1	0	0	0
2008 March . . .	3/12–4/15	65	22	22	1	4	2	0	1
2008 April	4/17–5/15	29	11	11	1	4	2	0	1
2009 June	6/24–6/27	4	4	3	1	0	0	0	0
2009 Dec	12/16–3/4/10	79	23	24	2	0	0	0	0
2011 Jan	1/4–9/27	267	84	80	27	1	3	0	12
2011 Sept. . . .	9/29–12/8	71	22	22	48	0	0	0	7
2013 Oct	10/10–11/12	34	10	10	8	0	0	0	4
2013 Dec	12/2–12/19	18	6	7	2	0	0	0	1
2014 Jan	1/23–3/20	57	17	16	4	0	0	0	2

1. Month listed is month that special session first convened pursuant to governor's call. Since 1861 there have been 94 special sessions. The number of special session calls, which totaled 95, included one called by the governor to convene on 6/18/62. Because the legislature reconvened on that date in regular session under AJR-147, there was no need to convene a special session. 2. Number of calendar days from opening date of the session to final adjournment.

3. Number of days on which the senate and assembly met, including skeleton sessions. 4. Partial vetoes not included.

5. The senate adjourned the special session 11/15/69; assembly 1/17/70.

Source: *Bulletin of the Proceedings of the Wisconsin Legislature*; Senate and Assembly Journals.

Table 2. Selected attorney general opinions on special sessions

	Year	Topic
7 OAG 49	1918	Governor may amend the call to include new subjects or issue a new call for the same time.
8 OAG 663	1919	Resolutions expressing opinions are not “business” and are permitted during the special session, even though subject is not in the call.
11 OAG 249	1922	Although the call specifies in minute detail the laws which the governor wishes enacted, the legislature retains its legislative independence in carrying out the objectives of the call. Question of germaneness answered.
15 OAG 163	1926	The scope of the call relates to making an emergency appropriation and cannot be extended to amending details of the program’s administration.
17 OAG 166	1928	Joint resolution does not have force of law and cannot be substituted for a bill.
17 OAG 171	1928	The legislature is permitted under the scope of the call to adjust the amount of the emergency appropriation requested in the call, but it may not consider the regular appropriation for the fiscal year. It may finance the emergency appropriation through existing and legally available funds or by passing new revenue measures.
17 OAG 181	1928	The scope of the call is for an emergency appropriation of funds. Transfer of funds already appropriated, rather appropriation of new funds, is not within the call.
20 OAG 1115	1931	If the call is “to amend and revise” a specific statutory section, the legislature may exercise broad authority in dealing with that section.
23 OAG 65	1934	A joint resolution to amend the constitution is legislation, not an expression of opinion, and cannot be considered if not included in the call.
37 OAG 374	1948	The manner of calling special session and form of notice are at governor’s discretion. The call may be issued in person, by mail, or by telephone or telegraph.
51 OAG 1	1962	The governor may call a special session while the legislature is between general sessions and not assembled, although the legislature in technical terms is considered “in session” because there has been no <i>sine die</i> adjournment.

Source: Wisconsin Department of Justice, *Index Digest to Opinions of the Attorney General*, 1990; *Opinions of the Attorney General*, various volumes.

Table 3. Special session calls, 1848–2017

Special session	Main purpose
1861 May	Civil War powers.
1862 September	Militia organization; Soldiers' right to vote; Indian uprising; Payment to military office employees.
1878 June	Revision of general statutes; Tornado damage.
1892 June	Legislative apportionment.
1892 October	Legislative apportionment.
1896 February.	Legislative apportionment.
1905 December.	Railroad regulation; Primary election law.
1912 April	Black River Falls flooding.
1916 October	Absentee voting by soldiers.
1918 February.	War economy.
1918 September	Reserve officers training facilities.
1919 September	Soldiers rehabilitation funds.
1920 May.	Cost of living; Medical education; Educational standards.
1922 March	Income tax administration.
1926 April	Indemnities for cattle with tuberculosis.
1928 January	Appropriations for state colleges and public welfare.
1928 March	Appropriations for charitable and penal institutions.
1931 November.	Unemployment; Apportionment.
1933 December.	Prohibition repeal.
supplementary	Operation of banks.
supplementary	Extension of property tax payment deadline; Milwaukee County circuit court; Drainage districts; Reimbursement of Firemen's Association; Student loans.
supplementary	Banking operations.
supplementary	School districts; Public deposits; Delinquent banks.
1937 September	Economic emergency relief; Tax revisions; Highway safety.
supplementary	Agricultural marketing; Creation of a Department of Commerce; Old-age assistance; Chain stores; Unfair trade practices; Housing programs.
supplementary	Government reorganization; Milwaukee school tax levy; Employment of minors.
1946 July	Rent control; Veterans housing; State personnel salaries and state government operation.
1948 July	Veterans housing.
1958 June	Unemployment compensation; General relief for poor; State residency; Urban renewal.
1962 June	Legislative and congressional apportionment.
1963 December.	Accelerated construction of state freeway system.
supplementary	Additional courts; State purchase of Menominee Enterprise securities; Constitutional amendment procedure.
1969 September	Urban problems; Public welfare; State assistance to Marquette Medical School; Revenues.
1970 December.	Confirmation of appointments.
1972 April	Legislative apportionment.
supplementary	Full train crew law; Ratification of U.S. equal rights amendment; Charge account usury; Revisor's bills.
1973 December.	Emergency energy regulations; Shared tax distribution.

Table 3. Special session calls, 1848–2017, continued

Special session	Main purpose
1974 April	Budget review bill; Merger of the University of Wisconsin and the state universities; Campaign finance reform; Power plant siting; Supplemental retirement benefits for teachers; Youthful offenders program; Reorganization of Department of Transportation; Cable television; Studded tires.
supplementary . . .	Supplemental retirement benefits for teachers.
1974 November.	Collective bargaining agreements for state employees.
1975 December.	Reorganization of Department of Transportation; Presidential primary; Power of condemnation for VTAE districts; Collective bargaining agreements for state employees.
1976 May.	Unemployment compensation.
1976 June	Open meetings law; Influenza immunization; Recodification of mental health laws; Taxpayer funding of election campaigns.
supplementary . . .	Creation of council on migrant labor; Clean election campaign fund.
1976 September	Collective bargaining agreements for state employees.
supplementary . . .	Agricultural water diversion permits.
1977 June	Partial vetoes.
1977 November.	State personnel procedures; Driving under the influence of intoxicants.
supplementary . . .	Confirmation of appointments.
1978 June	Various changes concerning the courts.
supplementary . . .	Veterans home loan program.
1978 December.	Confirmation of appointments.
supplementary . . .	Special election laws.
1979 September	Collective bargaining agreements for state employees; Salary adjustments for elected state officials.
supplementary . . .	Open presidential primary.
1980 January	Felonies committed with a dangerous weapon; Constitutional amendment to deny release on bail; Mandatory minimum sentences; Restricting probation and parole.
1980 June	Denying bail; Executive branch reorganization; Low and moderate income neighborhood investment and home ownership program.
1981 November.	Soil and water conservation; School cost controls; Gift and estate taxes; Property tax credit; Veterans trust fund.
supplementary . . .	Usury laws.
1982 April	State finances; Constitutional amendment to earmark sales tax for educational property tax relief.
supplementary . . .	Unemployment compensation.
supplementary . . .	Legislative apportionment.
1982 May.	Judicial salaries; Relief for needy Indian persons; Early retirement for state employees.
supplementary . . .	Milwaukee prison site.
1983 January	Sales and cigarette taxes; Special elections.
supplementary . . .	Extension of budget introduction submission.
1983 April	Unemployment compensation.
1983 July	Legislative apportionment; Tax incremental finance joint review board.
supplementary . . .	Confirmation of appointments; Consideration of vetoes.
supplementary . . .	Nonrepresented classified state employee compensation plan.
1983 October	Wisconsin Housing Finance Authority; Trade office; Permit Information Center; Rulemaking for small businesses; Utility holding companies.

Table 3. Special session calls, 1848–2017, continued

Special session	Main purpose
1984 February	State property tax relief; Reducing surtaxes.
1984 May	Group deer hunting; Domestic abuse; Nursing home payroll record inspection.
supplementary	Financial assistance for septic systems.
1985 March	Emergency loan processing centers; Animal waste pollution; Wisconsin Housing and Economic Development Authority agricultural production loans.
1985 September	Strategic planning council; Water diversion; Funding for business development; UW tuition and fall start date; Education and employment projects; Utility diversification.
1985 October	Alcohol beverage laws.
1985 November	Collective bargaining agreements for state employees; Martin Luther King, Jr. holiday.
1986 January	Appropriations; Homestead Tax Relief.
1986 March	Higher Educational Aids Board; Alcohol fuels; Farm credit mediation and arbitration; Wisconsin Housing and Economic Development Authority agricultural loans; Specialty crop cultivation.
1986 May	Raising legal drinking age to 21; UW-Madison indoor athletic practice facility; Patients compensation fund; Cocaine penalties; Mandatory vehicle insurance; Intoxicated driving penalties.
1986 July	Labor training program.
supplementary	Highway improvements.
1987 September	Corporate hostile takeovers.
supplementary	Corporate hostile takeovers.
1987 November	Homestead tax credit and farmland preservation credit; AFDC employment and training programs.
supplementary	Obscenity; Parole and probation for crimes punishable by life imprisonment; Spearfishing law enforcement aids; School tax credit.
supplementary	Wisconsin Retirement System; Local property tax limits; Local government dispute settlement procedure.
supplementary	Wisconsin Retirement System; Limiting property tax levies and state and local expenditures; Local government dispute settlement procedures.
1988 June	Drought relief; Water diversion for agricultural purposes.
1989 October	Illicit drug use and alcohol abuse.
supplementary	Controlled substances and drug paraphernalia, drug courts, judge substitution in criminal drug violations; Correctional institutions, probation, parole; Alcohol and drug abuse prevention and treatment.
supplementary	Expansion of farmland tax credit.
supplementary	Vaccinations, ratification of union contract.
supplementary	State employee health insurance program, and state employee reimbursement for damaged personal articles.
supplementary	Controlled substances; Lottery proceeds and school property tax credits; Levy restraint payment to municipalities and counties; Tort reform; Lobbying and the ethics code; Economic development for 18 northern counties and Indian tribes; Mutual aid law enforcement services; Juvenile detention.
supplementary	Business improvement loan guarantee program; Technical assistance and grants to municipalities and tribal governing bodies; Tourism promotion; Spearfishing law enforcement aid.
1990 May	Ratification of state employee contracts.
1991 January	Crime control: minimum sentences for crimes involving dangerous weapons and controlled substance offenses, gun-free school zones, concealed weapon penalties, drug paraphernalia.

Table 3. Special session calls, 1848–2017, continued

Special session	Main purpose
1991 October	Education reform: recommendations of the Commission on Schools for the 21st Century, statewide pupil achievement tests and minimum competency program, compliance with state education standards, children-at-risk services, a statewide pupil database.
supplementary . . .	Education reform: extending the school year, staff development, school management restructuring, grants for science and mathematics programs, postsecondary enrollment options program, community service work as part of the high school curriculum, school district consolidation incentives, teacher exchange programs, truancy abatement and suppression, suspension and expulsion, pupil evaluation of teachers, pupil assessment.
1992 April	Restricting gambling conducted by the state; Wagering on out-of-state simulcasts at pari-mutuel racetracks; Grants for research on or the treatment of compulsive gambling.
1992 June	Consider a constitutional amendment to distinguish the state lottery from prohibited gambling, to limit “lottery”, and to prohibit lottery expansion to other games.
1992 August	Confirmation of appointments.
supplementary . . .	Refinancing existing public debt.
1994 May	Controlled substance violations; Paternity and child support; Civil commitment of sexually violent persons; Sex offender registration and notice of release.
1994 June	Testing criminal defendants for HIV infection, and regulation of the telecommunications industry.
supplementary . . .	County and district fair aids.
supplementary . . .	Confirmation of an appointment.
1995 January	Ratification of state employee labor contract.
1995 September	Local professional baseball park districts.
supplementary . . .	Financing for local professional baseball park districts and sports and entertainment home stadia, and funding for state highway rehabilitation.
1998 April	Criminal code and sentences; Milwaukee Public Schools governance and administration; election law.
supplementary . . .	Excluding agricultural transactions from provisions of the Wisconsin consumer act; DNR legislation; tax credits for sales paid on fuel and electricity used in manufacturing; food stamps for qualified aliens; changing requirements organ donation requirements.
supplementary . . .	Additional legislation related to Milwaukee Public Schools.
1999 October	Tax rebate; school property tax credit.
2001 May	Property tax relief.
2002 May	Wetlands water quality.
2002 January	Budget reform legislation to address economic downturn.
2002 May	Chronic Wasting Disease in Wisconsin deer.
supplementary . . .	Hunting regulations.
2003 January	Decreasing appropriations; lapsing monies from certain program revenue accounts to the general fund; transferring monies from segregated accounts to the general fund; increasing funding for out-of-state inmate contracts and for health care of state prison inmates; increasing funding for Medical Assistance and Badger Care; increasing funding for land acquisition and development under the stewardship program; restricting distribution of funds by the Tobacco Control Board; lapsing or reestimating expenditures from certain general purpose revenue appropriations; exempting legislative actions from the required general fund structural balance and statutory balance.
2005 January	Public debt to finance tax-supported or self-amortizing facilities.
2006 February	Low-income energy assistance.
2007 January	Creating a Government Accountability Board; laws relating to elections, ethics, and lobbying regulations.
2007 October	State finances and appropriations relating to the 2007 budget act.

Table 3. Special session calls, 1848–2017, continued

Special session	Main purpose
2007 December	Campaign financing and various election-related laws.
2008 March	State finances and appropriations.
2008 April	Great Lakes-St. Lawrence River Basin water issues.
2009 June	Hospital assessment and medical assistance.
2009 December	General public school district curriculum and administration and governance and administration of Milwaukee Public School District.
2011 January	Creation of Wisconsin Economic Development Corporation; various tax and business development-related matters; administrative rules issues; limiting non-economic damages awards in certain lawsuits; and health savings accounts.
supplementary	Increasing the amount of credits under the economic development tax credit program.
supplementary	The Budget Repair Bill.
supplementary	Regulation of telecommunications utilities.
supplementary	LRB 2035/3 and LRB 2181/1.
2011 September	Early state seed and angel investment tax credits and other business, agricultural, and community development and taxation matters; multi-jurisdictional tax incremental financing districts; wetlands, habitat, and navigable waterways matters; Department of Revenue duties; vocational and technical skills education; individual income taxes relating to medical care and mass transit expenses; seasonal vehicle weight limits for transporting agricultural crops and other laws relating to overweight and overlength vehicles; attorney fees; immunity from liability for certain drug and device manufacturers; trespassing, interest rates on judgements in certain civil actions.
2013 October	Property tax relief to certain school districts; municipal tax incremental financing districts; historic preservation tax credits.
2013 December	Delaying effective dates of BadgerCare and the Health Insurance Risk-Sharing Plan.
2014 January	Various employment-related technical training and workforce education.
2017 January	Legislation related to opioid abuse.

Source: Assembly and Senate Journals, Governor's Proclamations and Executive Orders.



EXECUTIVE ORDER #230

Relating to a Special Session of the Legislature focused on Opioid Abuse

WHEREAS, I have previously created a Governor's Task Force on Opioid Abuse and designated Lt. Governor Rebecca Kleefisch and State Representative John Nygren as co-chairs; and

WHEREAS, the Task Force has met several times since its creation, heard testimony from a number of experts, and diligently studied the many facets of the opioid epidemic facing our state; and

WHEREAS, the Co-Chairs have prepared a report recommending legislation to help address this crisis;

NOW, THEREFORE, I, Scott Walker, Governor of the State of Wisconsin, pursuant to Article IV, Section 11, and Article V, Section 4, of the Wisconsin Constitution, do hereby require the convening of a special session of the Legislature at the Capitol in Madison, to commence at 11 a.m. on January 5, 2017, solely to consider and act upon the following legislation:

1. Legislation relating to opioid antagonist administration in schools;
2. Legislation relating to treatment and diversion programs and providing funding;
3. Legislation relating to limited immunity for persons who receive first responder care after experiencing a drug overdose;
4. Legislation relating to requirements for prescriptions for certain Schedule V controlled substances;
5. Legislation relating to the civil commitment of persons experiencing substance abuse addiction;
6. Legislation relating to the University of Wisconsin System chartering a recovery school;
7. Legislation relating to the rural hospital graduate medical training program and \$63,000 in each year of the 2017-2019 biennium for additional fellowships;
8. Legislation relating to \$1,000,000 in each year of the 2017-2019 biennium for grants to support new medically assisted treatment centers;
9. Legislation relating to \$500,000 in each year of the 2017-2019 biennium for a consultation service for medical professionals to access addiction medicine specialists;
10. Legislation relating to \$420,000 in each year of the 2017-2019 biennium for four additional criminal investigation agents at the Wisconsin Department of Justice focused on drug interdiction and trafficking; and
11. Legislation relating to \$100,000 in each year of the 2017-2019 biennium to expand the Screening, Brief Intervention, and Referral to Treatment (SBIRT) training program offered by the Wisconsin Department of Public Instruction.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison this sixth day of January, in the year two thousand seventeen.



SCOTT WALKER
Governor

By the Governor:

DOUGLAS LA FOLLETTE
Secretary of State

